

WELLESLEY PLANNING BOARD  
REGULAR MEETING  
MONDAY, APRIL 6, 2015, 6:30 PM  
WELLESLEY MIDDLE SCHOOL - ROOM 305

MINUTES

**Planning Board Present:** Sara Preston, Deborah Carpenter, Catherine Johnson, Jeanne Conroy, and Harriet Warshaw

**Staff Present:** Michael Zehner and Imaikalani Aiu

**Also Present:** David Himmelberger and Lloyd Geisinger

**1. Call to Order**

Ms. Preston called the meeting to order at 6:30 p.m.

**2. Public Comments on Matters Not on the Agenda**

Ms. Preston asked the Board if they had a preference as to when the receipt of general public comments was scheduled on the Board's agendas, indicating that it may make sense to do so towards the end of meetings. The Board briefly discussed the question, generally indicating that it should be discussed further.

Recognizing that the only members of the public in attendance (David Himmelberger and Lloyd Geisinger) were there for a specific matter on the agenda, Ms. Preston proceeded to the next agenda item.

**3. Old Business**

- a. Discuss and Consider Litigation Pertaining to PSI-13-02/PSI-14-02 - Board of Selectmen Appeal of Planning Board Action on PSI Special Permit for Tolles-Parsons Senior Center** - *As authorized by M.G.L. c. 30A, § 21 (a) 3., an executive session is contemplated to discuss strategy with respect to the litigation since discussion within an open meeting may have a detrimental effect on the litigating position of the Board.*

*Documents*

- Letter from Barbara Huggins (Planning Board Special Counsel) to Elizabeth Browning, Clerk to Judge Piper, Land Court, dated April 2, 2015 (provided at meeting); and
- Joint Motion for Remand on behalf of the Town of Wellesley Board of Selectmen and Town of Wellesley Planning Board, dated April 2, 2015

Mr. Zehner indicated that he had provided members with copies of a letter from Barbara Huggins and a Joint Motion for Remand, mailed to the Land Court on Friday, April 3, 2015. The Board indicated that the letter incorrectly referenced the Zoning Board of Appeals and asked that Mr. Zehner request that Ms. Huggins take the appropriate steps to correct. Ms. Preston stated that she did not see the need for the

Board to discuss the matter in Executive Session, and the other members of the Board agreed.

**b. Consider and Accept Follow Up Traffic Monitoring Study for PSI-09-01 - Wellesley High School**

*Documents*

- Memorandum from Michael Zehner to the Planning Board titled “Follow Up Traffic Monitoring Study for PSI-09-01 - Wellesley High School”;
- Planning Board Decision for PSI-09-01;
- Memorandum from Matt King, Chair, Permanent Building Committee, to Patricia Quigley, Chair, School Committee, titled “Wellesley High School Follow Up Traffic Monitoring Study,” dated March 24, 2015; and
- *Wellesley High School Traffic Monitoring Study*, prepared by VHB, dated March 12, 2015.

Ms. Preston discussed the PSI decision and the *Wellesley High School Traffic Monitoring Study* (“Study”), indicating that she appreciated the write up and attachments included in the PSI Decision. The Board discussed implementation of the conditions contained in the PSI Decision, as well as the suggestions contained in the Study. Ms. Conroy stated that there appeared to be a lack of enforcement of traffic circulation and parking associated with the High School. Ms. Warshaw indicated that the recommendations in the Study did not seem onerous. Ms. Preston suggested that the Board invite the project’s traffic consultant to a meeting to present the findings. Ms. Carpenter stated that she liked the idea of collaboratively resolving any problems.

Mr. Zehner indicated that he would coordinate a meeting to include appropriate staff and members of the Permanent Building Committee, Board of Selectmen, School Department, School Committee, Police Department, and Department of Public Works, with the goal being to identify steps that should be considered in response to the recommendations of the Study. Mr. Zehner indicated that he would express to the PBC, the School Department, and the School Committee that the Planning Board interpreted the Study as stating that there were deficiencies, and therefore it was their responsibility to propose to the Board how or whether they intended to implement suggested improvements to mitigate such deficiencies. Additionally, Mr. Zehner committed to reviewing the conditions of the PSI Decision to ensure that all requirements have been addressed. The Board agreed with this course of action.

Ms. Preston indicated that the Board would discuss the Town Meeting Articles later in the meeting and proceeded to the next item on the agenda.

**4. New Applications and/or Public Hearings**

**a. Review and Issue Recommendations for April 9, 2015 ZBA Cases**

*Documents*

- Memo from Imaikalani Aiu and Annie Ryan to the Planning Board, titled “Planning Staff Recommendations - April 9, 2015 ZBA Cases”, dated March 30, 2015;
- Copies of Zoning Board of Appeals applications 2015-29 (10 Hill Top Road), 2015-30 (265 Grove Street), 2015-31 (7 Summit Road), 2015-32 (240 Weston Road), 2015-33 (463 Washington Street), and 2015-34 (33 Glen Road); and
- Email from David Himmelberger to Michael Zehner, dated April 6, 2015, with attached deeds for 265 Grove Street (provided to Board at meeting)

Ms. Preston opened consideration of the applications for the Zoning Board of Appeals April 9, 2015 meeting.

- **2015-29 - 10 Hill Top Road:** Mr. Zehner provided an overview of the application and the staff recommendation. Ms. Johnson expressed concerns regarding the proposal, particularly the height in relation to adjacent homes. The Board discussed the application, indicating that it would be helpful to know the change in floor area.

*Based on their review and discussion, the Planning Board recommended that the ZBA grant the Special Permit, with a further recommendation that the ZBA look at the pitch of the proposed roof in comparison to the height of adjacent structures to determine ways that the applicant may be able to reduce the overall height of the structure.*

- **2015-30 - 265 Grove Street:** Ms. Preston recognized that David Himmelberger was in attendance representing the applicant, Lloyd Geisinger, also in attendance. Mr. Zehner provided an overview of the application and the staff recommendation, and circulated an email and deeds from Mr. Himmelberger confirming the existence of an easement providing access to the property. Mr. Himmelberger made a brief statement confirming the existence of the easement and the nature of the request.

*Based on their review and discussion, and the applicant’s submission of documents confirming that the property has a perpetual access easement, the Planning Board recommended that the ZBA grant the requested special permit.*

- **2015-31 - 7 Summit Road:** Mr. Zehner provided an overview of the application and the staff recommendation. The Board members concurred with the staff recommendation.

*Based on their review and discussion, the Planning Board recommended that the ZBA grant the requested special permit.*

- **2015-32 - 240 Weston Road:** Mr. Zehner provided an overview of the application and the staff recommendation. The Board reiterated that it would be helpful to know the change in floor area from existing to proposed. As recommended by staff, the Board agreed that the ZBA should require the applicant to provide the TLAG of the proposed dwelling. Ms. Johnson indicated that the proposal appeared to be a complete demolition and reconstruction, rather than a renovation. The Board discussed that the nature of the proposal seems to be intended to circumvent Large House Review.

***Based on their review and discussion, the Planning Board recommended that the ZBA defer action on the application until a TLAG affidavit is submitted, and further requested that they be given an opportunity to submit a final recommendation once additional information is submitted. The Board further recommended that the ZBA consider whether the proposal constitutes demolition versus renovation, with the intent of circumventing Large House Review.***

- **2015-33 - 463 Washington Street:** Mr. Zehner provided an overview of the application and the staff recommendation. Ms. Johnson expressed concern that the proposed sign was too tall, significantly exceeding the six (6) foot maximum height allowance. The Board discussed the two aspects of the sign for which the applicant is seeking a Special Permit, the area of the sign and the height of the sign. Mr. Zehner indicated that while he did not necessarily support the request to exceed the six (6) foot maximum height allowance, staff's recommendation deferred to the opinion of the Design Review Board. The Board discussed the DRB's recommendation, with further elaboration from Mr. Aiu, who had attended the DRB's meeting. The Board discussed that the proposed sign was an improvement over the existing sign.

***Based on their review and discussion, and the DRB's unanimous (5-0) vote in favor of the proposed sign, the Planning Board recommended that the ZBA grant the requested Special Permit.***

- **2015-34 - 33 Glen Road:** Mr. Zehner provided an overview of the application and the staff recommendation, confirming for the Board that the request involved the addition of a chimney and the enclosure of an existing deck encroaching on required setbacks. The Board members concurred with the staff recommendation.

***Based on their review and discussion, the Planning Board recommended that the ZBA grant the requested special permit.***

## **5. New and Other Business**

### **a. Consider Appointment and Reorganization of Design Review Board Membership**

#### *Documents*

- Memorandum from Annie Ryan to the Planning Board titled "Recommendation to Appoint Amir Kripper to Design Review Board," dated April 2, 2015, with attached resume for Amir Kripper

Mr. Zehner introduced the Design Review Board's request to appoint Amir Kripper as an Alternate Member to the DRB. Mr. Zehner explained that the Board would be appointing Mr. Kripper to serve until June 30, 2015, and would then consider a reappointment for a 3-year term at that time. Mr. Zehner suggested that if the Board wished to interview Mr. Kripper before approving the appointment that he could schedule something for a future meeting. The Board indicated that they were satisfied with the DRB's recommendation.

***Ms. Preston asked for a motion to approve Mr. Kripper's appointment. Ms. Warshaw made a motion to approve Mr. Kripper's appointment as an Alternate Member to the DRB for a term to expire June 30, 2015. Ms. Johnson seconded the motion. Ms. Preston called for a vote. The motion was approved unanimously, 5-0.***

Mr. Zehner reiterated that the Board would consider reappointing Mr. Kripper for a 3-year term in June. Additionally, Mr. Zehner noted that the DRB is considering having two members switch positions, with one currently serving as a Regular Member changing positions with an Alternate Member. Mr. Zehner stated that the Board would also consider this in June.

## **6. Minutes**

### **a. January 6, 2014 Regular Meeting Minutes**

#### *Documents*

- Draft January 6, 2014 Regular Meeting Minutes

Ms. Preston asked if members had any edits to the draft minutes. Ms. Conroy indicated that there appeared to be an error in the third paragraph on the fifth page. Mr. Zehner indicated that he would change the "a" that preceded "Town Meeting," to "at."

***Ms. Preston asked for a motion to approve the minutes as amended. Ms. Johnson made a motion to approve the minutes. Ms. Carpenter seconded the motion. Ms. Preston called for a vote. The motion was approved unanimously, 5-0.***

## **5. New and Other Business**

### **b. Planning Director's Report**

#### *Documents*

- Memorandum from Michael Zehner to the Planning Board titled "Planning Director's Report," dated April 3, 2015, with attached letters from Environmental Corporation of America dated March 27, 2015, March 19, 2015, and March 19, 2015.

Mr. Zehner reviewed the Board's upcoming schedule, along with the Town Government Study Committee's request to meet with the Board on May 4. To accommodate the Town Government Study Committee, and a presentation on the status of the 900 Worcester Street Project, the Board agreed to start the May 4 meeting at 6:30pm.

## **3. Old Business**

### **c. Review and Discuss 2015 Annual Town Meeting Zoning Articles**

*Documents*

- Memorandum from Michael Zehner to the Planning Board titled “2015 Annual Town Meeting Zoning Articles,” dated April 3, 2015; and
- Draft letter from Sara Preston to Town Meeting Members, dated April 6, 2015, regarding 2015 Annual Town Meeting Articles 27, 28, 29, 30, and 32 (provided to the Board at the meeting).

Mr. Zehner provided copies of a letter from Ms. Preston to Town Meeting Members regarding the Board’s intent to table and seek no motion regarding 2015 Annual Town Meeting Articles 27, 28, 29, 30, and 32. The Board agreed that the letter would be helpful to Town Meeting Members understanding, as well as the Board’s future efforts. Ms. Johnson discussed the presentations that she intends to provide to Town Meeting, indicating that she would provide an outline of the letter since Ms. Preston would not be able to attend the April 7 session. The Board agreed that Mr. Zehner would present Article 31, amending the Zoning Bylaw to allow outside dining.

**7. Adjourn**

***Hearing no other business, Ms. Preston asked for a motion to adjourn. Ms. Carpenter made a motion to adjourn. Ms. Conroy seconded the motion. Ms. Preston called for a vote. The motion was approved unanimously, 5-0.***

Meeting Adjourned: 7:24 p.m.

Next Meeting: April 21, 2015

Minutes Approved: April 21, 2015

*Note: A recording of this meeting is available from the Planning Department.*

Michael D. Zehner, AICP  
Planning Director